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FILED
DISTRICT COURT OF GUAM
DEC 19 2005 9P
MARY L.M. MORAN
CLERK OF COURT

Attorneys for Defendants Garlock, Inc., Viacom, Inc., successor by merger to CBS Corporation, formerly known as Westinghouse Electric Corporation, Foster Wheeler Corporation, Bayer CropScience, Inc., as Successor-in-Interest to Amchem Products, Inc., and The Dow Chemical Company

**DISTRICT COURT OF GUAM
TERRITORY OF GUAM**

Cess Navarro Olmo and
Ronnie Pascual Perreras,

) CIVIL CASE NO. 05-00025

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Plaintiffs

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SUPPLEMENTAL BRIEF RE:

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**1) MOTION TO DISMISS FOR LACK
OF PERSONAL JURISDICTION;
[Rule 12(b)(2)]**

A.P. Green Industries, Inc., A.P. Green Services, Inc., A.W. Chesterton Company, Amchem Products, Inc., Armstrong World Industries, Inc., Asbestos Claims Management Corporation, Babcock & Wilcox Company, Combustion Engineering, Inc., Dow Chemical Company, Dresser Industries, Inc., Flexitalllic, Inc., Flintkote Company, Foster Wheeler Corp., GAF Corporation, Garlock, Inc., Georgia-Pacific Corporation, Harbison-Walker Refractories Co., Honeywell International, Inc., John Crane, Inc., Kaiser Gypsum Company, Inc., Metropolitan Life Insurance Company, Owens Corning, Owens-Illinois, Inc., Pittsburg Corning Corporation, Quigley Company, Inc., United States Gypsum Company, Viacom, Inc.

**2) JOINDER IN DEFENDANT
A.W. CHESTERTON COMPANY'S
MOTION TO DISMISS PLAINTIFFS'
FIRST AMENDED COMPLAINT; and**

Certificate of Service

Defendants,

ORIGINAL

Olmo, et al. v. A.P. Green, et al.
Civil Case No. 05-00025
Supplemental Brief Re: Motion to Dismiss

By way of motion filed November 18, 2005, Defendants Bayer CropScience, Inc., as Successor-in-Interest to Amchem Products, Inc. (Bayer), and The Dow Chemical Company (Dow) (collectively Defendants) moved to dismiss the First Amended Complaint of Plaintiffs Cess Navarro Olmo and Ronnie Pascual Perreras as against Bayer and Dow on the ground that this Court lacks personal jurisdiction over Bayer and Dow.

In that motion, Bayer and Dow also joined in Defendant Georgia-Pacific Corporation's Motion to Dismiss Plaintiffs' First Amended Complaint, filed October 20, 2005, based on the improper venue argument made by Georgia-Pacific Corporation, including the facts and law put forth in Georgia-Pacific's motion.

Defendant Georgia-Pacific Corporation subsequently withdrew its motion. As a result, Bayer and Dow hereby supplement or amend their original motion to dismiss, in order to join in the Motion to Dismiss Plaintiffs' First Amended Complaint, filed October 27, 2005, 2005, by Defendant A.W. Chesterton Company, based on the improper venue argument, including the facts and law put forth in A.W. Chesterton Company's motion.

Dated December 19, 2005.

DOOLEY ROBERTS & FOWLER LLP

By:


JON A. VISOSKY

Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Jon A. Visosky, caused Defendants Bayer CropScience, Inc. and The Dow Chemical Company's Supplemental Brief Re: 1) Motion to Dismiss for Lack of Personal Jurisdiction; [Rule 12(b)(2)]; 2) Joinder in Defendant A.W. Chesterton Company's Motion to Dismiss Plaintiffs' First Amended Complaint; and Certificate of Service to be served December 19, 2005, via hand delivery on the following:

Ignacio C. Aguigui, Esq.
LUJAN UNPINGCO AGUIGUI & PEREZ LLP
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Attorneys for Georgia-Pacific Corporation, A.W. Chesterton Company, and
Kaiser Gypsum Company, Inc.

Olmo, et al. v. A.P. Green, et al.
Civil Case No. 05-00025
Supplemental Brief Re: Motion to Dismiss

Louie J. Yanza, Esq.
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Attorneys for John Crane, Inc.

and via regular mail to all the parties listed on the attached matrix of Agents for Service of Process.

Dated December 19, 2005.

DOOLEY ROBERTS & FOWLER LLP

By:



JON A. VISOSKY

- | | |
|--|--|
| 1) A.P. Green Industries, Inc.
c/o CT Corporation System
120 S. Central Ave.
Clayton, MO 63105-1705 | 8) Quigley Company, Inc.
c/o CT Corporation System
111 Eighth Ave.
New York, NY 10011-5201 |
| 2) A.P. Green Services, Inc.
30600 Telegraph Road
Bingham Farms, MI 48025 | 9) United States Gypsum Company
c/o Corporation Trust Co.
1209 N. Orange St.
Wilmington, DE 19801-1120 |
| 3) Combustion Engineering, Inc.
c/o Corporation Trust Co.
1209 N. Orange St.
Wilmington, DE 19801-1120 | |
| 4) Dresser Industries, Inc.
4100 Clinton Dr.
Houston, TX 77020 | |
| 5) Flexitallic, Inc.
6914 LaPorte Rd.
Deer Park, TX 77436 | |
| 6) Harbison-Walker Refractories Co.
c/o Corporation Trust Co.
1209 N. Orange St.
Wilmington, DE 19801-1120 | |
| 7) Honeywell International, Inc.
c/o Corporation Service Company
2711 Centerville Road, Suite 400
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